

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
JANUARY 18, 2000 - 7:00 P.M.**

**ROLLCALL** Answering rollcall were Members Faust, Hovland, Kelly, and Mayor Maetzold. Member Johnson entered the meeting at 8:40 P.M.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Faust and seconded by Member Kelly approving the Council Consent Agenda as presented.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

**RESOLUTION ADOPTED COMMENDING 1999-2000 SWIMMING AND DIVING TEAMS** Mayor Maetzold introduced the following resolution that was unanimously seconded by the entire Council,

**RESOLUTION NO. 2000-13  
RESOLUTION OF COMMENDATION  
EDINA HIGH SCHOOL**

**1999-2000 GIRLS' SWIMMING & DIVING TEAM**

WHEREAS, the members of the Edina High School 1999-2000 Girls' Swimming and Diving Team were Champions of the Classic Lake Conference, Section Champions and State Co-Champions; and

WHEREAS, success has come to the members of the Team because of their extraordinary ability, hours of practice and the leadership of their coaches; and

WHEREAS, as representatives of the City of Edina, the members of the Team exemplified the highest standards of athletic proficiency and good sportsmanship.

NOW, THEREFORE, BE IT RESOLVED by the Edina City Council that congratulations be extended to the members of the Team:

Amy Cohen	Amanda Weddle	Stephanie Daudt
Christina Erickson	Courtney Woodhull	Laine Litman
Kristin Gillick	Hannah Berg	Caitlin O'Connell
Meredith Saylor	Diane Cederberg	Kathryn Saylor
Kaari Williams	Katie Jermihov	Nina Cole
Courtney Green	Abby Ruess	Traci Bergo, Swimming Coach
Katie Kolles	Lindsay Somrock	Katie Grinnell, Diving Coach
Katie Massopust	Molly Warner	Mellanie Pusateri, Asst. Coach
Alicia McDonald	Liz Woodwick	Jeff Mace, Asst. Coach
Jamie Mitchell	Elizabeth Youngblood	Karin Tellekson, Asst. Coach

BE IT FURTHER RESOLVED that congratulations be extended to Meredith Saylor as 100 Breast Stroke State Champion and to Katie Kolles, Meredith Saylor, Diane Cederberg and Abby Ruess as 200 Medley Relay State Champions.

BE IT FURTHER RESOLVED that this resolution be recorded in the Minutes of the Edina City Council and that copies be given to members of the Team.

**ADOPTED this 18th day of January, 2000.**

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

**\*MINUTES OF THE REGULAR MEETINGS OF DECEMBER 21, 1999, AND JANUARY 4, 2000, APPROVED** Motion made by Member Faust and seconded by Member Kelly approving the Minutes of the Regular Meetings of December 21, 1999, and January 4, 2000.

Motion carried on rollcall vote - four ayes.

**FIRST READING GRANTED TO ORDINANCE 2000-1 REPLACING CODE SECTION 1340 WITH 1341 PHYSICAL CULTURE AND HEALTH SERVICES AND CLUBS**

Chief Siitari explained that Edina's current code requires all persons who perform massage within the City to have a massage therapist license under Code Section 1430.03. He stated the application process is time consuming, from the city's standpoint, and also places an unnecessary burden on legitimate massage therapists.

Mr. Siitari added that there are no national or state wide standards for massage therapists therefore, the City's existing code requires decisions regarding training qualifications and residency. Verifying qualifications and completing background investigations for each applicant consumes a significant number of staff hours from the license and police staff. Mr. Siitari added staff believes the tasks are redundant when dealing with businesses that provide legitimate therapeutic massage, since the businesses have a vested interest in hiring qualified employees. The proposed amendment would remove the city from the process and place the burden onto the employers. He noted that the requirement for licensing of businesses whose sole function is therapeutic massage would be retained. In addition, businesses that receive less than 25% of their total revenue from therapeutic massage would be required to annually register with the City.

Member Faust asked if staff felt the proposed amendment provides adequate safeguards to prevent undesirable businesses. Mr. Siitari replied that Code Section 1345 - Sexually Oriented Businesses, which was adopted after the massage ordinance, in his opinion provides safeguards that would protect the city.

Member Hovland asked that language be added to more clearly allow the city to audit the books of businesses performing massage therapy if deemed necessary.

**Member Hovland made a motion granting first reading to Ordinance No. 2000-1 requesting that language be added that would allow the City to audit records of any business registered with the City that performs therapeutic massage subsequent to the principle business.** Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

TRAFFIC SAFETY REPORT OF JANUARY 4, 2000 RECEIVED, SECTIONS A.2 AND A.4 APPROVED; SECTIONS A.1 & A.3 CONTINUED; SECTIONS B AND C APPROVED, AND FEBRUARY 15, 2000, PUBLIC IMPROVEMENT HEARING SET Coordinator

Bongaarts explained that the study of Parkwood Knolls has involved a lot of time and effort because of its complexity. A lot of traffic coming from a high employment area, is involved during a short period of time. The traffic coming east either exits on Highway 169 which has ramp metering during rush hour; or goes north to Parkwood Knolls; or south via Lincoln Drive and Vernon Avenue. Mr. Bongaarts said staff and SRF Consulting Group have studied the situation; and taken week-long traffic and speed measurements of every street entering or leaving the Parkwood Knolls area. Lincoln Drive and Vernon Avenue were also studied. Staff met with Hennepin County to discuss signalization of Gleason and Vernon Avenue. Mr. Bongaarts added speed studies were done, license plates checked and trace studies completed of vehicles entering and leaving Parkwood Knolls. He pointed out that changes to Parkwood Knolls would affect other neighborhoods. Mr. Bongaarts said there are approximately 547 homes in Parkwood Knolls area. The City has received letters from 54 residents requesting assistance with traffic in the neighborhood.

Mr. Bongaarts explained other groups such as the Viking Hills Neighborhood Association, the Habitat Homeowner's Association and the Edina West Condominium Association are also concerned about this issue.

He concluded that staff, with considerable reservation, supports restricting or closing Dove Drive at Lincoln to eastbound traffic between 3 and 6 P.M., Monday through Friday with the following considerations:

- 1) Suggest review after an initial trial time,
- 2) Enforcement with no exceptions; any local permit would be unmanageable and unenforceable; roadways are public
- 3) Parkwood Knolls 547 residents would be surveyed prior to implementing the change.
- 4) Lincoln Drive/Vernon Avenue and Vernon/Gleason intersections between 4 P.M. and 6 P.M. Monday through Friday, will most likely see 300 additional vehicles.

Mr. Bongaarts introduced Dennis Eyler of SRF Consulting Group. SRF has provided traffic consultation service for Edina since 1984. Mr. Eyler reviewed SRF's experiences as follows:

*SRF EXPERIENCE IN EDINA*

- West 70<sup>th</sup> Street and Cornelia School - 1984 - 1985
- 50<sup>th</sup> Street and Wooddale - 1986
- Valley View Neighborhood - 1988
- Tracy Avenue - 1991
- Country Club Neighborhood - 1992
- Parkwood Knolls (Interlachen) - 1994
- Maple Lane - 1998
- Parkwood Knolls South - 1998
- City Transportation Plan - 1998

*PARKWOOD KNOLLS ISSUES:*

- Volume
- Speeds
- Accident Potential
- Property Values

*WHY IS THERE THROUGH TRAFFIC?*

- Quickest route for some traffic
- Travel time may be slower, but is more predictable than freeway
- Mindset that it is better to be moving than sitting
- Residents from elsewhere in Edina or southern St. Louis Park who work in Opus

*WHY IS THE THROUGH TRAFFIC ON DOVRE?*

- Gateway to the area
- Lack of minor arterial system
- Major collector (Lincoln/Vernon) is indirect
- Malibu does not serve as a frontage road
- Interchange with T.H. 169
- Opus office park
- Large service area in Edina
- Freeway ramp metering

*TRAFFIC NUMBERS:*

- 1999 daily 2-way volume on Dovre - 1600, 1998 count was 1400
- "normal" residential street up to 1000
- Minor or neighborhood collector up to 2500
- Complaints on residential streets begin at 750 in metro center - 350 outer suburbs
- Household - 8 to 14 trips per day
- 500 households in this neighborhood

*THROUGH TRAFFIC ON DOVRE:*

- Weekend volume - 850 per day (1998 counts)
- Normal weekend day - 85% - 90% of weekday, therefore weekday would be 950 to 1000
- Therefore up to 600 vehicles per day could be considered as "through" - 1999 volumes

*THROUGH TRAFFIC DESTINATIONS:*

- Most is eastbound in the P.M. peak period
- 45% via Malibu to 7<sup>th</sup> street interchange at T.H. 169
- 40% to Blake then north to Interlachen
- 15% east to Vernon

*OTHER EFFECTS:*

- Speeds:
  - ◊ Studies have shown 85<sup>th</sup> percentile to be near 30 MPH
- Accidents:
  - ◊ Police report no unusual number of accidents

*WHAT CAN BE DONE?*

- Traffic CALMING measures
  - ◊ May affect speeds, but usually have little effect on volume

*CLOSURES OR OTHER PHYSICAL MEASURES*

- ◊ Usually effective, but penalize residents as well
- Traffic CONTROL measures
  - ◊ May be effective but require enforcement

*PROPOSAL:*

- Install P.M. peak period (3 - 6) turn prohibitions on Lincoln at Dovre
  - ◊ Northbound right turns
  - ◊ Southbound left turns
  - ◊ Applies to everyone

*WHO IS AFFECTED?*

- Through traffic
- Edina residents who work at Opus
- Parkwood Knolls residents approaching from T.H. 169

*ALTERNATE ROUTES FOR RESIDENTS:*

- From the south:
  - ◊ North to T.H. 169 and 7<sup>th</sup>
  - ◊ East to T.H. 62 and Gleason
- From the north:
  - ◊ Exit at T.H. 169 and 7<sup>th</sup>
- From Opus:
  - ◊ Lincoln south to Vernon

*ADDITIONAL LONG RANGE IMPROVEMENTS:*

- Re-align Londonderry/Lincoln intersection to direct traffic south on Lincoln
- Install signal at Vernon

*OTHER POSSIBLE IMPACTS:*

- Increased traffic on Lincoln south and on Vernon to Gleason
- Local trips into the neighborhood will be on other local streets
- Circuity and confusion for deliveries, school buses and visitors

*RECOMMENDATIONS:*

- Try the turn prohibition on a test basis
- Prepare to provide extensive enforcement
- Compile comments
- Collect before and after count data
- May want to wait until April or May

Member Faust asked if a no-left-turn and no-right-turn were implemented, what would happen to traffic stuck on the bridge attempting to get on Highway 169 north, and emergency vehicles. Mr. Eyler said the goal would be to avoid freeway stoppages. He added routes out of Opus through Hopkins would be an option. He noted local freeways are carrying more vehicles per lane than many larger cities; and in his opinion, metering does

## Minutes/Edina City Council/January 18, 2000

work. Member Faust asked if emergency vehicles could be made exempt from the no-left and no-right turns. Mr. Eyler said that could be done.

Mayor Maetzold inquired where traffic will go. Mr. Eyler said if traffic went to Vernon Avenue it could be handled there.

Member Kelly asked whether a barricade would help during the hours of 3 - 6. P.M. Mr. Eyler explained that cars could get around a barricade. He added that barricades are self-enforcing, but very labor intensive, and questioned if a precedent would be set if a barricade were erected.

Member Hovland questioned what the percentage is of traffic out of Opus versus traffic out of United Health Care. Mr. Eyler said 22% of eastbound traffic was from the neighborhood. Member Hovland asked where the cars are from that are waiting to get on the freeway. Mr. Bongaarts answered the majority are coming from Minneapolis, Bloomington, St. Louis Park, and St. Paul. Edina is suffering because of it. Member Hovland asked what efforts have been done on Highway 169 to move cars westbound into Hopkins and onto Highway 7. Mr. Eyler noted Minnetonka has extended Smetana to move traffic towards Excelsior Boulevard. Member Hovland said he believes this is a Minnetonka problem and asked if they could be convinced to develop better parallels to Highway 7. He asked what the cost would be to re-configure the intersection and whose responsibility it would be to pay for it. Mr. Houle explained the proposed orientation of traffic flow and signalization. Member Hovland inquired whether a third ramp meter could be added to the area. Mr. Eyler said in some locations there are up to four ramp meters and an additional ramp lane could be a reasonable solution for storage. If the City gives permission, the State could be asked to finance the project.

Mayor Maetzold said if the plan as proposed is implemented, he would be concerned with the intersection of Gleason and Vernon. He inquired what the City's responsibility would be at the intersection to make it work. Mr. Eyler commented this would be essential in light of the City's transportation network. Mayor Maetzold asked if the signal should be installed before any other changes were implemented. Mr. Eyler said the County was approached for participation in installing the signal but this intersection is not a priority with them. Normally the City would pay 75% of signal costs and use State Aid funds in a County system. Mayor Maetzold asked if the City could pay for the signal installation. Mr. Houle said the project would meet State Aid criteria because it meets warrants, but this could take six months. Mr. Hughes reminded the Council that a project hearing would need to be held prior to a signal being installed. Mayor Maetzold asked if a no-turn sign were erected, how would enforcement be carried out. Chief Siitari indicated funding for overtime traffic hours was approved so basic emergency response and services would not be affected. He added barricades are low-maintenance, but people would remove them. While enforcement would be very unpopular, it would be effective.

Mr. Hughes asked clarification if 45% of traffic crosses Dovre and up Malibu, does it all go back onto the freeway or does some continue on Lincoln north of 7<sup>th</sup> Street. He asked if

anything can be done at that interchange to discourage that happening and get 45% of the traffic out of this "shortcut". Mr. Eyler said not much can be done with meter rates.

Public comments

Lisa Nelson, 6136 Arctic Way, representing the Viking Hills Association, voiced concern with the proposed changes, 1) convenience center will increase traffic, 2) the one route out of their area is already unsafe, 3) traffic volume on Gleason is growing and intersection is not well-constructed to handle it, 4) existing 4-way STOPS at Vernon and Arctic are not effective, 5) the Association has met with City staff and been told traffic will increase, and 6) citations issued for STOP sign violations are 9 out of 10 not Edina residents. Ms. Nelson requested a no-turn sign at Parkwood and commercial construction in the area should require simultaneous decisions with how to deal with Vernon Avenue. If a STOP light is installed on Vernon something must be done along Vernon at the 4-way STOP for the residents.

Fred Mauck, 6104 Habitat Court, representing the Habitat Association, explained their only access is through Vernon Avenue which changes to Lincoln Drive. He said solutions taken for Parkwood Knolls severely impact traffic flow on Lincoln and Vernon. They are not as concerned about volume as speed. He suggested STOP signs be placed at Habitat Court or Waterford Court as well as STOP signs at Lincoln/Vernon. The collector system is not only getting more cars, they are travelling faster and their safety is in jeopardy.

Bill Rose, 6119 Habitat Court, proposed a reconfiguration of the road system. Mr. Eyler said the idea would add stacking space but would be very expensive.

Ed Kocourek, 6636 Parkwood Road, suggested a STOP sign at Parkwood Lane and Road and a no-left sign also.

Peter Dahl, 6212 Parkwood Road, indicated the main problem is the Vernon/Gleason intersection. Opus is the cause of many problems. He does not wish to put undue pressure on the Police Department but urged a resolution be enacted at this meeting.

Tom Buetell, 6204 Parkwood Road, questioned the dates traffic monitoring was done. He said if the numbers are incorrect, maybe the motivation to do something is not there. Mr. Buetell voiced concern with the new commercial development in the area.

Bill Donnelly, 6209 Parkwood Road, thanked the Council for the process they are following. He indicated the problem in the area has been underestimated and asked for a timely conclusion.

John Crouch, 5616 Parkwood Lane, said what is obvious is that City residents are victims of Opus and a very aggressive highway department. If traffic flow from Opus is restricted, they will be pressured to stagger their hours of employment to allow metering to work. He suggested installing as many barriers as possible to stem the flow of traffic from Opus because it is Minnetonka's problem. Mr. Crouch had submitted two letters previously, dated May 20, 1999, and January 17, 2000, that were included in the Council packet.

Bob Schwartzbauer, 6704 Field Way, stated this is a serious problem. This is a speed problem as well as a traffic flow problem. He voiced support with the proposal but suggested no-right-turn on the frontage road from 4 - 6 P.M.

Council comment

Member Kelly asked how concerns can be addressed in the Arctic and Habitat neighborhoods. Mr. Eyler said traffic calming along Lincoln/Vernon would be appropriate. STOP signs are not effective at controlling speeds. Referring to Arctic, one technique used in other suburbs on a wide roadway, is installing a median island and adding another STOP sign. This narrows the roadway and reduces speed but the State expressed concerns that installing a median would not meet state aid design standards. Member Kelly said he knows there is a sense of urgency but this is a difficult thing to implement.

Member Hovland asked what effects there would be to safety with a traffic semaphore at Vernon/Gleason. Mr. Eyler said accident data shows two accidents per year at the location. He said industry standards indicate that installing a signal increased rear-end accidents, but reduced right angle and left turn accidents. Thus, accidents may increase in numbers, but decrease in severity. Member Hovland asked how much time would be needed to come back with long and short term recommendations. Mr. Eyler said dealing with traffic on a collector street and minor arterial system almost always has controls. Volumes and traffic patterns do not make an all way STOP look like a logical choice in this situation. Member Hovland asked how much time it would take to figure out the most effective traffic calming devices on Lincoln/Vernon. Mr. Eyler said it would not take long, only deciding what would work best and the cost. Member Hovland asked how many lanes are on the bridge at present. Mr. Eyler answered two in each direction. Member Hovland asked if northbound Bren could accommodate two more lanes for ramp meters. Mr. Eyler replied it could be widened out and provide something resembling a toll plaza.

Member Faust said nothing should be done until a STOP signal is installed at the Vernon/Gleason intersection. She commented that traffic calming must be researched as well as the experiment of potentially closing Dovre Drive as soon as the signal is in place.

Member Hovland suggested staff recommendations be approved: 1) reconfiguring the intersection at Lincoln and Londonderry; 2) signalizing the intersection at Gleason Road and Vernon Avenue (after public hearing); and 3) calming traffic. He said long term solutions should include: 1) approaching MnDOT requesting the addition of two more ramp meters northbound on entrance ramp at 169, and 2) delaying experimental turn restrictions on Dovre until all residents are surveyed.

Member Kelly said if it is assumed six months are needed to install a signal at Vernon/Gleason, there should be adequate time to research traffic calming solutions.

Member Johnson expressed sympathy to the residents saying the intersection at Vernon/Gleason is difficult. If a signal is installed, business traffic will still continue to wait in line to



enter the Crosstown west then cut up to Highway 169. He does not believe this to be a permanent solution. Mr. Hughes voiced concern that anytime a road is blocked, the problem blurps out somewhere else. Member Johnson said the persons coming from Opus have two choices, 1) get on the freeway and go over the Dovre area, or 2) go on Londonderry around Gleason.

Mayor Maetzold said he believes the Council has reached a consensus with installing a signal at Vernon/Gleason. Since it would take six months to install the signal, research on various types of traffic calming could be done. Following installation of the signal and gathering of all the research, a no-turn at Dovre could be implemented as well as a change to the intersection. During this same time, the neighbors can be surveyed.

**Member Kelly made a motion setting February 15, 2000, as a public improvement hearing date to consider signalizing the intersection of Vernon Avenue and Gleason Road, and continuing January 4, 2000, Traffic Safety Committee Items A.1 and A.3 until said hearing.** Member Faust seconded the motion.

Mr. Bongaarts explained the Habitat Homeowner's Association has requested three-way, all-way STOP signs at Lincoln Drive and Habitat Court. Habitat Court is a cul-de-sac with nine duplex housing units. Staff recommended denial of request for lack of warrants to justify stopping traffic on Lincoln Drive.

Mr. Hughes recommended holding the Habitat Homeowners request in abeyance until the traffic research study is completed and both neighborhoods can be dealt with together.

Ayes: Faust, Hovland, Johnson, Kelly, Maetzold

Motion carried.

**Member Hovland made a motion approving the Traffic Safety Staff Review of January 4, 2000, Section A. 2 and 4 as recommended:**

- 2. MTC request for bus stop on Ohms Lane at West 74<sup>th</sup> Street**
  - a. Elimination of all 10 minute parking on Ohms Lane**
  - b. Creation of a bus stop on the east side of Ohms Lane approximately 110 feet north of West 74<sup>th</sup> Street**
  - c. Addition of approximately 160 feet of 10 minute parking on the north side of West 74<sup>th</sup> Street, east of the post office's north exit.**
- 4. Denial of request to remove the sign on Lochmere Terrace. Staff recommends the addition of a plate to the sign indicating no parking 10 feet to either side of the sign to clarify the limits of the restriction. The staff feels that the sign poses no undue hardship for the neighborhood in that it restricts parking only for a couple hours both in the morning and afternoon, Monday through Friday and during that time only affects approximately 20 feet, and**

**Section C.** Member Faust seconded the motion.

Ayes: Faust, Hovland, Johnson, Kelly, Maetzold

Motion carried.

**ANNUAL APPOINTMENTS AND RE-APPOINTMENTS MADE TO BOARDS, COMMISSIONS AND COMMITTEES** Mayor Maetzold requested endorsement of his recommendations for appointments and re-appointments to various boards, commissions and committees as follows:

**RE-APPOINTMENTS**

NAME	BOARD/COMMITTEE/COMMISSION	TERM TO:
Sandra Clark	Art Center Committee	2/1/03
Mike Kelly		2/1/03
James VanValkenburg		2/1/03
Dr. Bruce Burnett (provider)	Community Health Committee	2/1/02
J. Paul O'Connor (consumer)		2/1/02
Dr. James Reynolds (provider)		2/1/02
Freda Terry (provider)		2/1/02
Rev. Canon Charles Vogt (con)		2/1/02
Bruce C. Bermel	Construction Board of Appeals	2/1/03
Ronald Clark		2/1/03
John Palmer	East Edina Housing Foundation	2/1/03
Virginia Shaw		2/1/03
Garold Nyberg	Heritage Preservation Board	2/1/02
Marilyn Curtis		2/1/02
Thomas Oye	Human Relations Commission	2/1/03
Floyd Grabiell	Park Board	2/1/03
George Klus		2/1/03
Lorelei Bergman	Planning Commission	2/1/03
Helen McClelland		2/1/03
David Runyan		2/1/03
Shelly Lipetzky	Recycling and Solid Waste Commission	2/1/02
Robert Reid		2/1/02
Judith Smith		2/1/02
Nan Faust	Regional Citizen Advisory Commission	2/1/02
Rodney Hardy	Zoning Board of Appeals	2/1/03
Michael Lewis		2/1/03

**APPOINTMENTS**

NAME	BOARD/COMMISSION/COMMITTEE	TERM TO
Ruth A. Valgema	Art Center Committee	2/1/03
Linda D. Kieffer		2/1/01
Joan Schoening	Heritage Preservation Board	2/1/02
Idelle Longman	Human Relations Commission	2/1/03
Bert Finsand		2/1/02
Greg Winter		2/1/02
Scot Housh	Park Board	2/1/03
Tom Erickson	East Edina Housing Foundation	2/1/02

Mayor Maetzold made a motion endorsing the re-appointments and appointments to the various advisory boards, commissions and committees as previously noted. Member Kelly seconded the motion.

Ayes: Faust, Hovland, Johnson, Kelly, Maetzold  
Motion carried.

**\*RESOLUTION ADOPTED AUTHORIZING 2000 MUNICIPAL RECYCLING GRANT AGREEMENT WITH HENNEPIN COUNTY** Motion made by Member Faust and seconded by Member Kelly introducing the following resolution and moving its adoption:

**RESOLUTION 2000-9**

**RESOLUTION AUTHORIZING CITY  
TO ENTER INTO 2000 MUNICIPAL RECYCLING  
GRANT AGREEMENT WITH HENNEPIN COUNTY**

WHEREAS, the City of Edina operates a recycling program consistent with Minnesota Statutes, 115A.02 and 115A.03, as amended by the Laws of Minnesota 1992, Chapter 685, and Minnesota Statutes 473.8011; and

WHEREAS, the Edina Recycling Program is consistent with the Office of Environmental Assistance Solid Waste Management Development guide/Policy Plan, the Hennepin County Solid Waste Master Plan; and Hennepin County's Residential Recycling Funding Policy; and

WHEREAS, the Hennepin County Board has adopted a Resolution authorizing funding for Municipal Recycling Programs.

NOW, THEREFORE, BE IT RESOLVED, by the Edina City Council that the Mayor and the City Manager enter into an Agreement with Hennepin County to accept funding for the Edina Recycling Program.

ADOPTED this 18<sup>TH</sup> day of January, 2000.

Motion carried on rollcall vote - four ayes.

**\*RESOLUTION ADOPTED APPROVING THE HENNEPIN SOUTH SERVICES COLLABORATIVE JOINT AND COOPERATIVE AGREEMENT** Motion made by Member Faust and seconded by Member Kelly introducing the following resolution and moving its adoption:

**RESOLUTION NO. 2000-15**

**APPROVING THE HENNEPIN SOUTH SERVICES  
COLLABORATIVE JOINT AND COOPERATIVE AGREEMENT  
FOR RESEARCH, PLANNING AND COORDINATION OF  
HUMAN SERVICES AND A FAMILY SERVICES COLLABORATIVE**

WHEREAS, the municipalities of Bloomington, Eden Prairie, Edina and Richfield along with the School Districts of Bloomington, Edina, Eden Prairie, and Richfield are desirous of creating and managing an agency to conduct regional research, planning and coordination and a family services collaborative (FSC) in south Hennepin County.

BE IT RESOLVED, THAT THE Edina City Council approves the Hennepin South Services Collaborative Joint and Cooperative Agreement for Research, Planning and Coordination of Human Services; and a Family Services Collaborative.

BE IT FURTHER RESOLVED, that the Mayor and City Manager are hereby authorized to execute said agreement for the City of Edina.

Minutes/Edina City Council/January 18, 2000

Passed this 18<sup>th</sup> day of January, 2000.

Motion carried on rollcall vote - four ayes.

**\*APRIL 10, 2000, DATE SET FOR 2000 BOARD OF REVIEW** Motion made by Member Faust and seconded by Member Kelly setting April 10, 2000, at 5:00 p.m. as the date for 2000 Board of Review.

Motion carried on rollcall vote - four ayes.

**\*RESOLUTIONS ADOPTED REVOKING AND ESTABLISHING MUNICIPAL STATE AID STREETS** Motion made by Member Faust and seconded by Member Kelly introducing the following resolution and moving its adoption:

**RESOLUTION NO. 2000-10**

**REVOKING MUNICIPAL STATE AID STREETS**

WHEREAS, it appears to the City Council of the City of Edina that the roads hereinafter described as Municipal State Aid Streets under the provisions of Minnesota Laws;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Edina that the roads described as follows, to wit:

- Grimes Avenue from W. 44<sup>th</sup> Street to Morningside Road (120-167-010)
- Grimes Avenue from Morningside Road to W. 42<sup>nd</sup> Street (120-167-020)
- W. 42<sup>nd</sup> Street from Grimes Avenue to France Avenue (120-168-010)

be, and hereby are, revoked as Municipal State Aid Streets of said City subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration.

Motion carried on rollcall vote - four ayes.

Motion made by Member Faust and seconded by Member Kelly introducing the following resolution and moving its adoption

**RESOLUTION NO. 2000-11**

**ESTABLISHING MUNICIPAL STATE AID STREETS**

WHEREAS, it appears to the City Council of the City of Edina that the streets hereinafter described should be designated Municipal State Aid Streets under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Edina that the roads described as follows, to wit:

- Valley View Road from West Ramp of TH 169 to TH 169 East (Braemar) Frontage Road
- (Braemar) TH 169 East Frontage Road from Valley View Road to W. 78<sup>th</sup> Street
- W. 78<sup>th</sup> Street from (Braemar) TH 169 East Frontage Road to .18 miles West of W. Bush Lake Road

be, and hereby are established, located and designated Municipal State Aid Streets of said City subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof,

that same be constructed, improved and maintained as a Municipal State Aid Street of the City of Edina.

Adopted this 18<sup>th</sup> day of January, 2000.

Motion carried on rollcall vote - four ayes.

**CHUCK E. CHEESE WINE AND 3.2 BEER LICENSES APPROVED** Manager Hughes explained that CEC Entertainment, Inc., d.b.a./Chuck E. Cheese has applied for an on-sale wine and a 3.2 beer license for their location at 7505 France Avenue. All documentation has been filed, all fees paid and investigation's completed. Staff recommends issuance of the licenses.

Member Johnson made a motion approving issuance of a license to CEC Entertainment, Inc., d.b.a./Chuck E. Cheese for an on-sale wine license and a 3.2 beer license at 7505 France Avenue. Member Hovland seconded the motion.

Ayes: Faust, Hovland, Johnson, Kelly, Maetzold

Motion carried.

**\*RESOLUTION OPPOSING PROPOSED STATE LEGISLATION ON CABLE & TELECOMMUNICATION ISSUES** Motion made by Member Faust and seconded by Member Kelly introducing the following resolution and moving its adoption:

**RESOLUTION 2000-12**

**OPPOSING SF 2133/HF 2137**

WHEREAS, the City of Edina ("City") has been granted the legal authority to negotiate, award and regulate cable television franchises under both Federal Telecommunications Act Title VI ("FTA") and Minnesota Statutes Chapter 238;

WHEREAS, the City has regulated its cable television franchise responsibly and reasonably, serving as a local resource to resolving customer service issues;

WHEREAS, the City has ensured that its cable operator has identified needs and interests in the community such as local community programming, customer service and emergency alert requirements;

WHEREAS, the City has worked with municipalities throughout the State through both the League of Minnesota Cities ("LMC") and the Minnesota Association of Community and Telecommunications Administrators ("MACTA") to further the benefits of cable television to local communities and to address local concerns regarding cable television.

WHEREAS, the proposed legislation, SF 2133/HF 2137, would abolish Chapters 237 and 238 of Minnesota Statutes and regulate cable television operators and telephone companies the same. The proposed legislation will revoke City's authority to award cable television franchises, eliminate the City as a local resource to its citizens, and remove the City's ability to receive direct support for community television and other provisions that meet local community needs.

WHEREAS, cable operators providing cable service are regulated differently than telephone companies which act as common carriers under existing federal and state law. Common carriers are regulated under Title II of the FTA and Chapter 237 of Minnesota Statutes. Cable operators are regulated under title VI of the FTA and chapter 238 of Minnesota Statutes.

WHEREAS, there is no need for the proposed legislation, and no other State has enacted such legislation. It has not been demonstrated by any means that local governments' role in cable franchising impedes in any manner the ability of cable and telecommunications companies to offer full and competitive services.

WHEREAS, the proposed legislation will violate the purpose of the FTA of establishing franchise procedures and standards which encourage the growth and development of cable systems and which assure that cable systems are responsive to the needs and interests of the local community. Nor will it promote competition in cable communications and minimize unnecessary regulation that would impose an undue economic burden on cable systems.

WHEREAS, the proposed legislation would actually increase regulation forcing the Department of Commerce and the Public Utilities Commission to dramatically increase staff and regulate cable, even though these agencies have no background or experience in regulating the cable industry.

WHEREAS, the proposed legislation will have a negative financial impact on municipalities and citizens throughout the State. The infrastructure to regulate cable operators is already in place at the local level and is extremely effective. The proposed legislation would destroy the existing infrastructure and replace it with a cumbersome, expensive administrative agency at the State level.

WHEREAS, the proposed legislation does not adequately address, Open Access, protection against Redlining, local infrastructure to address service complaints, destruction of existing contract or agreements of PEG programming.

WHEREAS, the City has expended considerable time and resources negotiating a new cable franchise that meets the community's needs. City has also worked closely with neighboring jurisdictions to enter into a joint powers commission to share resources and jointly develop local programming and related activities to further community needs.

NOW, THEREFORE, BE IT RESOLVED that the City has a significant interest in retaining its ability to franchise companies providing cable television services and is hereby opposed to any legislation that would revoke this authority; and

AND THEREFORE, that any legislation eliminating Chapter 238 at this time is premature. The City respectfully requests the State Legislature to carefully study the dynamics of federal and state cable regulation prior to passing any new legislation.

AND THEREFORE, the City respectfully requests the State Legislature to include the City, the LMC, and the MACTA in all discussions and hearings concerning cable regulation.

Adopted this 18<sup>th</sup> day of January, 2000.

Motion carried on rollcall vote - four ayes.

\*2000 AND 2001 CONTRACT IAFF #1275 (FIREFIGHTERS) Motion made by Member Faust and seconded by Member Kelly approving the International Association of Firefighters (IAFF) #1275 labor contract for 2000 and 2001.

Motion carried on rollcall vote - four ayes.

\*ASSIGNMENT OF SECURITIES IN LIEU OF BOND Motion made by Member Faust and seconded by Member Kelly introducing the following resolution and moving its adoption:

RESOLUTION 2000-14 APPROVING ASSIGNMENT OF

**SECURITIES IN LIEU OF BOND -  
NATIONAL CITY BANK**

**BE IT RESOLVED** that the City Council of the City of Edina, Minnesota, approves the assignment of its depository, National City Bank, of the following securities, as good and sufficient collateral for the City of Edina Public Funds deposited in said depository:

<u>DESCRIPTION</u>	<u>RATE</u>	<u>DUE</u>	<u>PAR VALUE</u>
Federal Home Loan Bank	5.68	4/20/00	\$500,000.00

Motion carried on rollcall vote - four ayes.

**CLAIMS PAID** Motion made by Member Kelly approving payment of the following claims as shown in detail on the Check Register dated January 13, 2000, and consisting of 31 pages: General Fund \$302,633.60; Communications \$7,310.50; Working Capital \$7,250.87; Art Center \$8,736.64; Golf Dome Fund \$8,995.08; Swimming Pool Fund \$107.10; Golf Course Fund \$18,831.29; Arena Fund \$30,436.53; Edinborough/Centennial Lakes \$21,838.38; Utility Fund \$51,508.89; Storm Sewer Utility Fund \$797.88; Recycling Program \$35,092.44; Liquor Dispensary Fund \$288,179.01; Construction Fund \$41,690.18; Park Bond Fund \$1,280.55; TOTAL \$824,688.94; and for confirmation of payment of claims as shown in detail on the Check Register dated January 3, 2000, and consisting of 4 pages: General Fund \$366,987.29; Working Capital \$70.09; Golf Course Fund (\$50.02); Ice Arena Fund \$298.94; Edinborough/Centennial Lakes \$100.00; Utility Fund \$31,289.48; Storm Sewer Utility Fund \$782.64; Liquor Dispensary Fund \$105,780.70; TOTAL \$505,259.12. Member Johnson seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Johnson, Kelly, Maetzold

Motion carried.

There being no further business on the Council Agenda, Mayor Maetzold adjourned the Council Meeting at 9:45 P.M.

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City Clerk

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